



Atty. Dkt. No. 310473-1600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Guy Michael MILLER et al.

Title: METHODS FOR THE
PREVENTION AND
TREATMENT OF NON-
CARDIOVASCULAR TISSUE
ISCHEMIA USING GAMMA-
TOCOPHEROL AND
METABOLITES THEREOF

Appl. No.: 10/017,717

Filing Date: 12/14/2001

Examiner: P. Spivack

Art Unit: 1614

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| CERTIFICATE OF EXPRESS MAILING | |
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| Addressee" service under 37 C.F.R. § 1.10 on the date indicated | |
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| Patents, P.O. Box 1450, Alexandria, VA 22313-1450. | |
| EV 577 777 761 US (Express Mail Label Number) | 1/27/05 (Date of Deposit) |
| <u>Rene Campos</u> (Printed Name) | |
| <u>Rene</u> (Signature) | |

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

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Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date January 27, 2005

By Lorna L. Tanner

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| Form PTO-1449 (MODIFIED) | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTY. DOCKET NO. 310473-1600 | SERIAL NO. 10/017,717 |
| I P E INFORMATION DISCLOSURE CITATION JAN 27 2005 OFFICE USE ONLY | | APPLICANT Guy Michael MILLER et al. | |
| (Use several sheets if necessary) | | FILING DATE 12/14/2001 | GROUP ART UNIT 1614 |



U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | REF | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB-CLASS | FILING DATE IF APPROPRIATE |
|------------------|-----|-----------------|-----------|-----------------|-------|-----------|----------------------------|
| | | 5,200,214 | 4/6/1993 | Barkalow et al. | | | |
| | | 5,139,796 | 8/18/1992 | Barkalow et al. | | | |
| | | 2002/0165270 A1 | 11-7-02 | Remacle, et al. | | | |
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FOREIGN PATENT DOCUMENTS

| REF | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB-CLASS | TRANSLATION | |
|-----|-----------------|------|---------|-------|-----------|-------------|----|
| | | | | | | YES | NO |
| | | | | | | | X |
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| EXAMINER | DATE CONSIDERED |
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- * EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include any copy of this form with next communication to applicant.